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**United States District Court**  
EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION

BRAD HABERLAND, *derivatively on*  
*behalf of Dex One Corporation,*  
Plaintiff,

v.

JONATHAN B. BULKELEY, EUGENE  
I. DAVIS, RICHARD L. KUERSTEINER,  
W. KIRK LIDDELL, MARK A. MCEACHEN,  
ALFRED T. MOCKETT, ALAN F. SHULTZ,  
STEVEN M. BLONDY, GEORGE F. BEDNARZ,  
MARK W. HIANIK, SEAN W. GREENE,  
and DAVID C. SWANSON,  
Defendants,

and

DEX ONE CORPORATION,  
Nominal Defendant.

**JUDGMENT**  
**5:11-CV-463-D**

**Decision by the Court:**

**IT IS ORDERED AND ADJUDGED** that the Court DENIES Defendants' Motion to Strike Plaintiff's Amended Complaint [D.E. 44] and GRANTS Plaintiff's Motion for Leave to Amend the Complaint [D.E. 47]. The Court GRANTS Defendants' Motion to Dismiss [D.E. 25] and DISMISSES Plaintiff's Complaint [D.E. 1] and Amended Complaint [D.E. 35, 47-2].

**THE ABOVE JUDGMENT WAS ENTERED TODAY, SEPTEMBER 26, 2012 WITH A COPY TO:**

Brett D. Stecker (Via CM/ECF electronic notification)  
Kirk Alan Parry, Jr. (Via CM/ECF electronic notification)

September 26, 2012  
Date

JULIE A. RICHARDS, Clerk  
Eastern District of North Carolina

/s/ Debby Sawyer  
(By) Deputy Clerk

Raleigh, North Carolina